

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ERIC ERNST,) CIVIL ACTION NO. 4:21-CV-1702
Plaintiff)
)
v.)
)
) (ARBUCKLE, M.J.)
UNION COUNTY CONSERVATION)
DISTRICT *et al.*,)
Defendants)

ORDER

(On Defendants' Motion to Dismiss Specific Sections of Plaintiff's Amended Complaint (Doc. 29))

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss (Doc. 29) is GRANTED in part and DENIED in part as follows:

- (1) Defendants' motion to dismiss (Doc. 29) is GRANTED insofar as it seeks to have Plaintiff's omnibus prayer for relief for compensatory damages with respect to the ADEA be stricken and Plaintiff's prayer for compensatory damages under the ADEA is STRICKEN.
- (2) Defendants' motion to dismiss (Doc. 29) is DENIED insofar as it seeks to have Plaintiff's omnibus prayer for relief for liquidated damages with respect to the ADEA stricken.
- (3) Defendants' motion to dismiss (Doc. 29) is DENIED insofar as it seeks to have Plaintiff's omnibus prayer for relief for liquidated damages with respect to the PHRA stricken.
- (4) Defendants' motion to dismiss (Doc. 29) is DENIED insofar as it seeks dismissal of Count III of Plaintiff's amended complaint.

Date: September 26, 2023

BY THE COURT

s/William I. Arbuckle
William I. Arbuckle
U.S. Magistrate Judge